

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
v.) Criminal No. 04-10166-RGS
)
)
DAVID ARNDT)

JOINT STATUS REPORT

Pursuant to Local Rule 116.5(A), the parties are hereby jointly filing the following status report prepared in connection with the initial status conference scheduled for August 9, 2004.

1. Local Rule 116.3 Timing Requirements

The defendant is requesting that the time for filing the discovery letter contemplated by LR 116.3 be extended until September 20, 2004. The government does not oppose that request.

Based on the foregoing, the parties further request that the time for the government to respond to any such discovery letter be set for October 4, 2004 and the time for filing discovery motions be set for October 29, 2004.

Except as provided above, the parties are not presently requesting relief from the timing requirements of Local Rule 116.3.

2. Expert Discovery

The government anticipates that, unless there is a stipulation regarding the drugs involved in this case, it will

offer expert testimony regarding the drugs at issue and may offer other expert testimony as well. The government will make expert disclosures 60 days before trial. The defendant will make its expert disclosures 30 days before trial. The government reserves to file responsive expert disclosures after receipt of the defendant's disclosures.

3. Additional Discovery

Except with respect to matters for which declinations were made, the government does not anticipate providing substantial additional discovery other than expert disclosures as may be requested as specified in paragraph 2, above. However, certain aspects of this investigation remain ongoing. If additional discoverable materials relevant to this investigation are received, however, they will be produced.

4. Motion Date

As set forth above, the parties are jointly requesting that October 29, 2004 be set as the date for discovery motions to be filed and are requesting that the time between the Initial Status Conference and the date of the Final Status Conference be excluded from all Speedy Trial Act calculations. The parties are requesting that a Final Status Conference be scheduled in mid November. The defendant is reserving the right to request that this be an interim status conference depending on case developments.

5. Speedy Trial Act Calculations

The parties have conferred on the periods excludable from all Speedy Trial Act calculations and agree that the following periods are excludable:

5/27/04-7/28/04	Government's motion for detention
7/7/04-8/9/04	Order for exclusion entered
8/9/04- Final Status	Excluded at the request of all parties in the interest of justice as set forth above.

As of the Final Status Conference, 0 days will have been counted and 70 days will remain under the Speedy Trial Act.

6. Anticipated Trial

The parties believe that it is too early to determine whether a trial in this matter will be required.

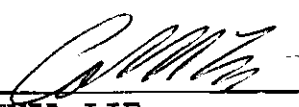
7. Final Status Conference

The parties request that a Further Status Conference be scheduled for November 15, 2004 or as soon thereafter as is convenient for the Court.

Respectfully submitted,

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